

IN THE UNITED STATES FEDERAL DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

KENDALL WATSON
Defendants.

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CR. NO. 2:06cr122-MEF

MOTION TO CONTINUE SENTENCING

COMES, James R. Cooper, Jr. who on behalf of his client Mr. Watson, who does request that the sentencing be continued and states in support thereof as follows:

1. The government and Mr. Watson have entered into an agreement that contemplates him providing testimony in the Leon Carmichael sentencing currently before Judge Thompson.
2. The government has not at this time given any concrete number of levels of downward departure it may or may not grant Mr. Watson for his testimony in the Carmichael Sentencing.
3. Mr. Watson has already testified once for the government in a preliminary Carmichael hearing. He intends to continue cooperating with the government.
4. Mr. Watson's currently PSR does not include any downward departure for this additional assistance. The contemplated new assistance will be of some impact on any sentence.
5. If Mr. Watson is sentenced now, it may be sometime before the Carmichael sentencing is conducted. There would be a logistics problem getting him back for the Carmichael sentencing and then a further logistics problem getting him back for a Rule 35 proceeding.
6. The Carmichael sentencing, at which Mr. Watson is to testify, may be held a year or more beyond Mr. Watson's scheduled sentencing, which would put him beyond the time limit in the Rule 35 proceeding.
7. The ends of justice and of judicial economy would be served by postponing this sentencing until after Mr. Watson has testified at the Leon Carmichael sentencing.

RESPECTFULLY SUBMITTED,

S\James R. Cooper, Jr.
James R. Cooper, Jr. (COO021)
COOPER & COOPER
312 Scott Street
Montgomery, Alabama 36104
(334) 262-4887
(334) 262-4880 (Facsimile)

CERTIFICATE OF SERVICE

I hereby certify that on this the 13th day of November, 2006 , I have served a copy of the foregoing Motion to Continue Sentencing Upon Mr. Moorer, AUSA , at the last known address of: P.O. Box 197, Montgomery, Al By placing a copy of the same in the United States Mail properly addressed and postage prepaid and electronically.

S/James R. Cooper, Jr.
JAMES R. COOPER, JR.

Cc:
Kendall Watson
Autauga Metro Jail
Prattville, Al